

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A. SECURITIES  
LITIGATION

This document relates to:

|               |               |
|---------------|---------------|
| 07 Civ. 5742  | 07 Civ. 7370  |
| 07 Civ. 7775  | 07 Civ. 7776  |
| 07 Civ. 7778  | 07 Civ. 7779  |
| 07 Civ. 7863  | 07 Civ. 7803  |
| 07 Civ. 8208  | 07 Civ. 8156  |
| 07 Civ. 9229  | 07 Civ. 8830  |
| 07 Civ. 9593  | 07 Civ. 10578 |
| 07 Civ. 10954 | 07 Civ. 10995 |
| 07 Civ. 11092 | 07 Civ. 11305 |
| 07 Civ. 11483 | 07 Civ. 11484 |
| 07 Civ. 11485 | 07 Civ. 11628 |
| 08 Civ. 0024  | 08 Civ. 0116  |
| 08 Civ. 0117  | 08 Civ. 0418  |
| 08 Civ. 1111  | 08 Civ. 0950  |
| 08 Civ. 01973 | 08 Civ. 1938  |
| 08 Civ. 01983 | 08 Civ. 01974 |
| 08 Civ. 01985 | 08 Civ. 01975 |

02 Civ. 5571 (RJH/HBP)  
ECF CASE

**NOTICE OF MOTION OF DEFENDANTS FOR PARTIAL SUMMARY JUDGMENT  
AGAINST INDIVIDUAL PLAINTIFFS FOR LACK OF STANDING**

PLEASE TAKE NOTICE that, upon the Memorandum of Law, dated August 15, 2008, the Declaration of Damaris Hernández, executed August 15, 2008, with exhibits thereto, the Statement Pursuant to Civil Rule 56.1, and upon all prior pleadings and proceedings herein, Defendants Vivendi, S.A., Jean-Marie Messier and Guillaume Hannezo<sup>1</sup> hereby move this Court,

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<sup>1</sup> Mr. Hannezo joins in this motion as to (a) Capitalia Asset Management SGR, S.p.A. v. Vivendi Universal, S.A., No. 07 Civ. 5742 (the only action in which he has been properly served); and (b) Pioneer Investments Austria, GmbH v. Vivendi Universal, S.A., No. 07 Civ. 10578 (as to which the Court has ordered that Mr. Hannezo respond to discovery requests). Mr. Hannezo has moved to dismiss the other Individual Actions for failure to serve him with process.

before Judge Richard J. Holwell, at the Courthouse, 500 Pearl Street, New York, New York, for summary judgment pursuant to Fed. R. Civ. P. 56(b) on claims brought by Plaintiffs in the above-captioned individual actions , as set forth in more detail in the accompanying memorandum of law; and granting such other and further relief as the Court deems just and proper.

August 15, 2008.

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To the extent that motion is denied with respect to some or all of the other Individual Actions, Mr. Hannezo joins in this motion as to those actions as well.

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